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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 EDDIE BELL,

10 Petitioner,

11 vs.

12 STATE OF NEVADA,

13 Respondent.
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Case No. 2:16-cv-02554-APG-VCF

ORDER

15 The court dismissed this action without prejudice to commencement of a new action because
16 petitioner did not pay the filing fee or file an application to proceed in forma pauperis. ECF No. 2.
17 Instead of following instructions, petitioner filed in this action a petition for reopening case (ECF
18 No. 4), an application to proceed in forma pauperis (ECF No. 5), and a motion for declaratory and
19 injunctive relief (ECF No. 6). Petitioner argues that the failure to file an application to proceed in
20 forma pauperis was inadvertent. Petitioner himself knows that he needs to file an application to
21 commence an action; this court dismissed an earlier action of his for the same reason. Bell v.
22 Nevada Bar Association, 2:06-cv-00975-KJD-LRL. Furthermore, the dismissal was without
23 prejudice. Petitioner could have commenced, and still can commence, a new action with all the
24 required documents.

25 IT IS THEREFORE ORDERED that petitioner's petition for reopening case (ECF No. 4) is
26 **DENIED**.

27 IT IS FURTHER ORDERED that petitioner's application to proceed in forma pauperis
28 (ECF No. 5) is **DENIED**.

1 IT IS FURTHER ORDERED that petitioner's motion for declaratory and injunctive relief
2 (ECF No. 6) is **DENIED**.

3 DATED: September 21, 2017,
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5 ANDREW P. GORDON
6 United States District Judge
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